

## REMARKS

### Summary of the Office Action

Claims 1-3 and 5-12 stand rejected under 35 U.S.C. § 102(b) as allegedly being anticipated by JP 05-142880 to Nobuhiro (hereinafter "Nobuhiro").

Claims 16-18 stand rejected under 35 U.S.C. § 102(e) as allegedly being anticipated by U.S. Patent No. 6,798,997 to Hayward et al. (hereinafter "Hayward et al.").

Claims 13-15 stand rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Nobuhiro in view of Hayward et al.

### Summary of the Response to the Office Action

Applicants have amended independent claims 1, 9 and 16-18. Accordingly, claims 1-3 and 5-18 remain pending in this application for further consideration.

### All Claims Define Allowable Subject Matter

Claims 1-3 and 5-12 remain rejected under 35 U.S.C. § 102(b) as allegedly being anticipated by Nobuhiro, claims 16-18 remain rejected under 35 U.S.C. § 102(e) as allegedly being anticipated by Hayward et al., and claims 13-15 remain rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Nobuhiro in view of Hayward et al. To the extent that these rejections might still apply to the newly amended claims, they are respectfully traversed as being based upon references that neither teach nor suggest the novel combination of features now clearly recited in the claims.

**Rejection of Independent Claims 1 and 9 based on Nobuhiro**

With regard to independent claims 1 and 9, as newly-amended, Applicants respectfully submit that Nobuhiro does not teach or suggest the claimed combination, including at least the recited feature of “the control information stored in the memory part is capable of being updated by wireless while the detachable unit is detached from the image forming apparatus main member.”

The Final Office Action insists to allege that Nobuhiro discloses each and every feature of independent claims 1 and 9. In particular, the Final Office Action alleges that paragraph [0016] of Nobuhiro teaches “the control information stored in the memory part is capable of being updated when not mounted.” In contrast to the present invention of newly-amended independent claims 1 and 9, paragraph [0016] of Nobuhiro merely discloses what kind of data may be stored in memory means. Applicants respectfully submit that Nobuhiro is completely silent, and neither teaches nor suggests, that the control information stored in the memory part can be updated by wireless. In other words, Applicants respectfully submit that Nobuhiro fails to teach or suggest that “the control information stored in the memory part is capable of being updated by wireless while the detachable unit is detached from the image forming apparatus main member,” as recited by each of newly-amended independent claims 1 and 9.

In addition, the Final Office Action does not rely upon Hayward et al. to remedy the above-noted deficiencies of Nobuhiro. Further, Applicants respectfully submit that Hayward et al. cannot remedy the deficiencies of Nobuhiro.

**Rejection of Independent Claims 16-18 based on Hayward et al.**

With regard to independent claims 16 and 17, as newly-amended, Applicants respectfully submit that Hayward et al. does not teach or suggest the claimed combination, including at least a recited feature of “the control information is transmitted to a detachable unit detachable to the image forming apparatus and is capable of being updated by wireless while the detachable unit is detached from the image forming apparatus.”

The Final Office Action insists to allege that Hayward et al. discloses each and every feature of independent claims 16-18. In particular, the Final Office Action alleges that Hayward et al. discloses “a writing device for writing control information obtained from the client computer on a memory part of a detachable unit detachable to an image forming apparatus” by citing to col. 4, lines 56-67 of Hayward et al. In contrast to the present invention of newly-amended independent claims 16 and 17, the cited portion of Hayward et al. merely discloses that “a file of additional information directed to the registered machine 10 is downloaded from the server (S13).” Applicants respectfully submit that Hayward et al. is completely silent, and neither teaches nor suggests, that the control information stored in the memory part can be updated by wireless. In other words, Applicants respectfully submit that Hayward et al. fails to teach or suggest a claimed combination including at least a feature of “the control information is transmitted to a detachable unit detachable to the image forming apparatus and is capable of being updated by wireless while the detachable unit is detached from the image forming apparatus,” as recited by each of newly-amended independent claims 16 and 17.

Also, for similar reasons as those set forth above, Applicants respectfully submit that Hayward et al. does not teach or suggest a claimed combination including at least a feature of

“the control information stored in the memory part is capable of being updated by wireless while the detachable unit is detached from the image forming apparatus,” as recited by newly-amended independent claim 18.

Accordingly, Applicants respectfully assert that the rejections of independent claims 1, 9 and 16-18 under 35 U.S.C. §§ 102(b) and 102(e) should be withdrawn because the applied references do not teach or suggest each and every feature of newly-amended independent claims 1, 9 and 16-18. As pointed out in MPEP § 2131, “[t]o anticipate a claim, the reference must teach every element of the claim.” Thus, “[a] claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference. Verdegaal Bros. v. Union Oil Co. Of California, 2 USPQ 2d 1051, 1053 (Fed. Cir. 1987).” Furthermore, Applicants respectfully assert that the rejections of dependent claims 2-8 and 10-15 should also be withdrawn at least because of their respective dependencies upon newly-amended independent claims 1 and 9, and the reasons set forth above.

With no other rejection pending, Applicants respectfully submit that claims 1-3 and 5-18 are in condition for allowance.

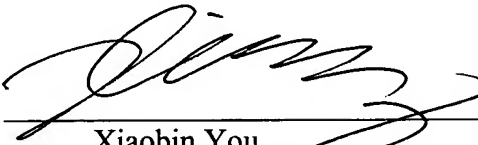
### **CONCLUSION**

In view of the foregoing, Applicants respectfully request entry of the amendments to place the application in clear condition for allowance or, in the alternative, in better form for appeal. Should the Examiner feel that there are any issues outstanding after consideration of this response, the Examiner is invited to contact Applicants’ undersigned representative to expedite prosecution.

If there are any other fees due in connection with the filing of this response, please charge the fees to our Deposit Account No. 50-0310. If a fee is required for an extension of time under 37 C.F.R. § 1.136 not accounted for above, such an extension is requested and the fee should also be charged to our Deposit Account.

Respectfully submitted,

**MORGAN, LEWIS & BOCKIUS LLP**

By:   
Xiaobin You  
Registration No. L0112

Dated: November 9, 2005

**CUSTOMER NO. 009629**  
**MORGAN, LEWIS & BOCKIUS LLP**  
1111 Pennsylvania Avenue, NW  
Washington, D.C. 20004  
Telephone: (202) 739-3000  
Facsimile: (202) 739-3001